

*Mission Permanente
du Royaume du Maroc
Genève*



البعثة الدائمة
للمملكة المغربية
جنيف

**STATEMENT OF MR. OMAR HILALE
AMBASSADOR, PERMANENT REPRESENTATIVE
OF THE KINGDOM OF MOROCCO
BEFORE**

THE 62nd SESSION OF THE EXECUTIVE COMMITTEE HCR

AGENDA ITEM : INTERNATIONAL PROTECTION

GENEVA, OCTOBER 05, 2011

Mr Chairman,

I would like to thank the Secretariat for its presentation and command the UNHCR growing interest for international protection. New humanitarian crisis and the protracted situation of millions of refugees in the world confirm the need to strengthen the protection of persons of concern to UNHCR.

In this respect, I would like to recall that the Geneva 1951 Convention as well as the pertinent UNHCR's Executive Committee, make of the operation of refugees registration a preliminary requirement for their international protection. Indeed, no protection can be efficiently ensured without a comprehensive and scientific registration.

In this context, all host countries which are efficiently and generously engaged in refugees' protection, have allowed UNHCR to identify and register the refugees they are hosting on their territories with the exception of Algeria which remains a unique case in the history of international protection.

In fact, for 35 years, Algeria continues to oppose a resounding NO to successive UNHCR's requests for registration of the population of the camps of Tindouf. Violating, hence, its own international obligation and simultaneously preventing UNHCR from fulfilling its mandate towards them.

This Algerian exception, unique in the annals of the history of international protection of refugees, has, at last, drawn the attention of the international community, which referred this issue to the Security Council on the 30th of last April. In its resolution 1979, the Security Council has called UNHCR to "continue considering the registration of the refugees in the Camps of Tindouf".

This resolution followed the UN Secretary General request in his report to the Security Council, in April 2010 which was reiterated in paragraph 88 of the report of April 2011, calling on UNHCR "in line with its mandate and established practice", to "continue discussing with the host country the need for registration in the Tindouf refugee camps. "

It is the first time that the Security Council expressly instructs UNHCR in the area of human management of a refugee situation. In front of such an order from the highest UN authority, the UNHCR Executive Committee, should wonder why UN Security Council has to address itself to an Agency in the case of the Camps of Tindouf.

The answer is to be sought fundamentally in the opposition of Algeria to the registration and in the cost of this obstruction. Indeed, the Algerian veto against the registration of the camps populations generates a tripled cost: political, humanitarian, and that of protection. These should be of concern to the international community.

The Cost of non-registration at the protection level:

Census and registration are the most basic and fundamental tolls of protection in the international law for refugees.

It is, in fact, only through this operation that displaced persons can have access to their legitimate rights as refugees. Consequently, their non registration generates a direct cost in terms of violation of their various rights namely to freedom of movement, expression, association and others, which are guaranteed to them under international law. This, unfortunately, is not the case for the populations of the camps of Tindouf.

Furthermore, non-registration of the populations of the camps of Tindouf, resulted in their exclusion from benefitting from the durable solutions to which they are entitled by virtue of international law particularly in the context of protracted refugees situations.

In fact, Algeria continues to impede the voluntary return of the populations of the camps of Tindouf to their home country, Morocco. She refuses their local integration and opposes their resettlement in third countries, in spite of generous offers from several countries to host them. This triple obstruction creates a feeling of despair especially among young people who were born in that camps and are at the risk of dying there.

The humanitarian cost of non-registration

Opposition of Algeria to the census of the populations of the Tindouf camps generates, also, a humanitarian cost. It is related to the diversion of humanitarian aid intended to them, causing malnutrition and food shortage, diseases and medical products scarcity.

Opacity on the exact number of those populations aims at legitimising the fanciful figures given by Algeria over the last 35 years. This encourages all kind of frauds, manipulations and diversions of humanitarian aid which are to be found later on, displayed in the Algerian markets as well as those of neighbouring countries.

In this respect, several reports, mainly that of the European Commission's OLAF, WFP and UNHCR, confirm these diversions and justify the joint decision, taken in may 2005, by the two Agencies, to significantly reduce the number of the beneficiaries of their assistance to the camps.

Lastly, Algerian obstruction to the registration and the diversion of the international humanitarian aid, stem from the strategy aiming at maintaining of these populations in a state of dependency, food deprivation and vulnerability, in order to continue instrumentalising their humanitarian tragedy.

The political cost of non-registration:

Non-registration of populations of the camps of Tindouf has, also, a political cost for these populations and for all the region.

In fact, this attitude is motivated by a will to perpetuate the conflict, to maintain the tension in the region, and keep of the borders closed between the two countries and freeze the construction of the Maghreb.

The conjunction of these three costs results in a growing security impact on all the region. In fact, the humanitarian stalemate in the camps of Tindouf and the sense of despair tapping their populations, has pushed many young people in the hands of drug and arms traffickers, irregular migration and rampant terrorist networks in the Sahara and Sahel region. Several NGO's reports and foreign research centres, the most recent one is the editorial of Hudson Institute, dated last Friday, converge on the collusion between elements of polisario and Al-Qaida nebula in the of Sahel-saharan region.

For all these reasons, the Kingdom of Morocco appeal UNHCR, to implement the Security Council resolution, related to the registration of the camps populations. It, also, requests the donor countries to subordinate their humanitarian assistance to the lifting of the Algerian veto on the registration of the populations of the camps of Tindouf.

Lastly, Morocco makes a brotherly appeal to Algeria, following the recent warming in the bilateral relations, exchange of ministerial visits, that this new dynamics should also, benefit UNHCR to fulfil its mandatory responsibilities of registration of the populations of the camps of Tindouf.

I thank you.